



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 1, 2002
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. (Council Member Harris was absent.)**

A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

(Approved 6-0)

File #110-132

A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

(Approved 6-0)

File #2-104-132

A communication from the City Manager requesting a Closed Meeting to discuss disposition of public-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

(Approved 6-0)

File #104-132

A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

(Approved 6-0)

File #83-132

THE MEETING WAS DECLARED IN RECESS AT 12:17 P.M. TO BE IMMEDIATELY RECONVENED IN ROOM 159, FOR A DISCUSSION WITH REGARD TO ROLES AND RESPONSIBILITIES OF COUNCIL-APPOINTED AND CERTAIN CONSTITUTIONAL OFFICERS.

THE MEETING WAS DECLARED IN RECESS AT 1:40 P.M. TO BE IMMEDIATELY RECONVENED IN CLOSED SESSION IN THE COUNCIL'S CONFERENCE ROOM.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 1, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (Council Member Harris was absent.)

The Invocation was delivered by The Reverend Jeffrey Doremus, Minister of Leadership and Family Life, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, April 4, 2002, at 7:00 p.m., and Saturday, April 6, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring Saturday, April 6, 2002, as Tartan Day; and the month of April 2002 as Scottish American History and Heritage Month.

File #3

Proclamation declaring April 1 – 7, 2002, as Community Development Week.

File #3-200

3. CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Tuesday, February 19, 2002, and Monday, March 4, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the City Manager requesting authorization to file an application for vacating, discontinuing and closing a portion of Mason Mill Road, N. E.

RECOMMENDED ACTION: Concur in request.

File #514

- C-3 Minutes of the meeting of the Audit Committee held on Monday, March 4, 2002.

RECOMMENDED ACTION: Receive and file.
File #110-300

- C-4 Qualification of Stanley G. Breakell as a member of the Roanoke Public Library Board for a term ending June 30, 2002.

RECOMMENDED ACTION: Receive and file.
File #110-323

REGULAR AGENDA

Selection of persons to be accorded the public interview for the position of Roanoke City School Board Trustee on Thursday, April 18, 2002, commencing at 4:30 p.m., for terms commencing July 1, 2002, and ending June 30, 2005. Candidates are:

James P. Beatty
Robert H. Bird
Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow

(Two vacancies)

(The number of persons to be interviewed shall not exceed three times the number of vacancies.)

Carl D. Cooper, Edward Garner, William H. Lindsey, William E. Skeen, and Robert J. Sparrow will be interviewed on Thursday, April 18, said meeting to commence at 4:30 p.m. in the City Council Chamber.
File #110-467

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Honorable Donald S. Caldwell, Roanoke City Commonwealth Attorney, requesting acceptance of the Virginia Exile Grant by the Department of Criminal Justice Services for calendar years 2002 - 2003, in the amount of \$174,014.00; and a communication from the City Manager concurring in the request.

**Adopted Budget Ordinance No. 35782-040102 and Resolution No. 35783-040102. (6-0.)
File #60-133-236**

- b. A communication from Vice-Mayor William H. Carder with regard to a meeting of the Virginia First Cities Coalition which was held on Thursday, March 28, 2002; and to provide an update on the local impact of the State's 2002-2004 proposed budget.

**No action.
File #60-550**

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of the bid submitted by Breakell, Inc., for infrastructure improvements to the Greater Gainsboro Redevelopment Area, Phase II, in the amount of \$496,183.93; execution of an amendment to the Street Lighting Agreement with Appalachian Power Co., d/b/a American Electric Power, to provide street lights and associated electrical work in the amount of \$350,000.00; and appropriation or transfer funds.

**Adopted Budget Ordinance No. 35784-040102 and Ordinance Nos. 35785-040102 and 35786-040102. (6-0.)
File #29-60-46-434**

**AT 2:50 P.M., THE MEETING WAS DECLARED IN RECESS
FOR CONTINUATION OF A CLOSED SESSION.**

**THE COUNCIL MEETING RECONVENED AT 3:20 P.M., IN
THE CITY COUNCIL CHAMBER.**

2. A communication in connection with a street inventory for State maintenance payment eligibility.

**Adopted Resolution No. 35787-040102. (6-0.)
File #77-514**

3. A communication recommending amendment to an agreement between the Fifth District Employment and Training Consortium and Family Services of Roanoke Valley to provide services for Drug Court referrals for an additional six months beginning January 1, 2002 – June 30, 2002.

**Adopted Budget Ordinance No. 35788-040102 and Resolution No. 35789-040102. (6-0.)
File #60-76-246**

4. A communication recommending authorization to use competitive negotiation as the method to secure vendors to provide services in connection with an automated parking ticket issuance and management system.

**Adopted Resolution No. 35790-040102. (6-0.)
File #5-20**

5. A communication recommending appropriation of funds in connection with Solid Waste Management.

**Adopted Budget Ordinance No. 35791 on first reading. (4-2,
Council Members Hudson and Wyatt voted no.)
File #60-144-472**

6. A communication recommending amendment to Section 30-9.1, Outdoor dining, Code of the City of Roanoke (1979), as amended, to allow restaurants to use sidewalks and designated streets in commercially zoned areas.

**Adopted Budget Ordinance No. 35792-040102. (6-0.)
File #24-57-60-289-514-555**

7. A communication recommending amendment to Chapter 20, Motor Vehicles and Traffic, Article IV, Stopping, Standing and Parking, Division 2, Residential Parking Permits, Code of the City of Roanoke (1979), as amended, to establish a residential parking permit program for residents within the Downtown Service District.

**Adopted Ordinance No. 35793-040102 and Resolution No. 35794-040102. (6-0.)
File #20-24-277-553-556**

Council Member Wyatt requested that residential parking spaces not be clustered together.

8. A communication from the City Manager with regard to purchase of property from Virginia Vaughan described as Official Tax Nos. 1010409-1010411, inclusive.

**Adopted Budget Ordinance No. 35795-040102. (6-0.)
File #2-60**

Council Member White left the meeting.

9. A communication from the City Manager with regard to the Water Pollution Control Plant Consent Order with the Virginia Department of Environment Quality and the State Water Control Board.

**Adopted Resolution No. 35796-040102. (5-0.)
File #27**

b. **DIRECTOR OF FINANCE:**

1. Financial report for the month of February 2002.
**Received and filed.
File #1-10**

7. REPORTS OF COMMITTEES:

- a. A report transmitting the Roanoke Regional Airport 2002-03 proposed Operating and Capital Purchase Budget, and proposed capital expenditures. Jacqueline L. Shuck, Executive Director.

**Adopted Resolution No. 35797-040102. (6-0.) (Resolution No. 35797-040102 was voted on out of sequence and before Mr. White left the meeting.
File #9-60**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A resolution changing the time and place of commencement of the regular meeting of City Council on Monday, April 15, 2002.

**Adopted Resolution No. 35798-040102. (5-0.)
File #132-304**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Discussion regarding service level and costs associated with the Solid Waste Management Program was referred to fiscal year 2002-03 budget study.
File #60-144**

**Vice-Mayor Carder referred to a communication from the City Manager under date of April 1, 2002, in regard to the "Shining Star Award"; whereupon, the City Manager requested that Council review the details of the program, and following approval by Council, the program will be implemented by City staff.
File #80**

**Council Member Wyatt requested a report on the City's paid leave policy.
File #184**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

The City Manager called attention to the following meetings:

Code Enforcement Meeting, Hurt Park Elementary School, April 8th, 7:00 p.m.

Fire Station Plans, Harrison Museum of African-American Culture, April 16th, 6:30 p.m.

Ad-Hoc Committee to study the duties and responsibilities of the Roanoke Neighborhood Partnership Steering Committee, City Council Chamber, April 24th, 6:30 p.m.

File #70-104-200-488

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., addressed Council on behalf of Lincoln Terrace residents with regard to a previous request for screen doors.

File #178

THE MEETING WAS DECLARED IN RECESS FOR CONTINUATION OF THREE CLOSED SESSIONS THAT WERE PREVIOUSLY APPROVED BY COUNCIL.

THE MEETING RECONVENED AT 6:15 P.M.

CERTIFICATION OF CLOSED SESSION. (4-0.) (Council Member Hudson left the meeting during the closed session.)

The following persons were appointed as members of the Parks and Recreation Advisory Board:

	<u>Term</u>	<u>Beginning</u>	<u>Ending</u>
Shay Berger	One Year	04-01-02	03-31-03
Erin Garvin	One Year	04-01-02	03-31-03
Jim Hale	One Year	04-01-02	03-31-03
Carl Kopitzke	One Year	04-01-02	03-31-03
Gerrie LaManna	Two Years	04-01-02	03-31-04
Mark Lawrence	Two Years	04-01-02	03-31-04
Anita Lee	Two Years	04-01-02	03-31-04
David Nixon	Two Years	04-01-02	03-31-04
Brian Shepard	Three Years	04-01-02	03-31-05
James Sikkema	Three Years	04-01-02	03-31-05
Sherley Stuart	Three Years	04-01-02	03-31-05
The Rev. David Walton	Three Years	04-01-02	03-31-05
Onzlee Ware	Three Years	04-01-02	03-31-05

**The City residency requirement for S. James Sikkema was waived.
File #15-67-110**